

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ARTHUR JAMES GRIFFIN JR.,)

8:13CV88

Plaintiff,)

v.)

**MEMORANDUM
AND ORDER**

TODD SCHMADERER, Omaha)
Police Chief, MIKE MYERS,)
Director, and DOUGLAS COUNTY)
DEPARTMENT CORRECTIONS,)

Defendants.)

This matter is before the court on its own motion. On March 15, 2013, the plaintiff, Arthur James Griffin Jr. (“Griffin”), filed his Complaint in this matter along with a Motion for Leave to Proceed in Forma Pauperis (“IFP”). (Filing Nos. [1](#) and [2](#).) On April 17, 2013, I granted Griffin’s IFP motion and assessed an initial partial filing fee pursuant to [28 U.S.C. § 1915\(b\)\(1\)](#). (Filing No. [18](#).) In doing so, I warned Griffin that his case would be subject to dismissal if he failed to pay the initial partial filing fee by May 16, 2013. (*Id.*)

The May 16, 2013, deadline has passed and Griffin has not paid the initial partial filing fee in this matter. (*See* Docket Sheet.) Therefore, Griffin’s case is dismissed for failing to comply with the court’s orders. *See* [Fed. R. Civ. Pro. 41\(b\)](#); *see also* [Conley v. Holden](#), No. 03-3908, 2004 WL 2202452, at *1 (8th Cir. Sept. 21, 2004) (affirming district court’s dismissal of inmate’s case for failing to pay the assessed initial partial filing fee).

IT IS THEREFORE ORDERED that:

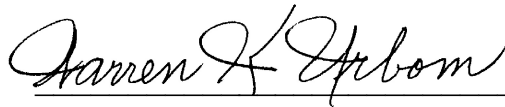
1. Griffin's Complaint (filing no. [1](#)) is dismissed without prejudice because he failed to comply with this court's orders.

2. All pending motions are denied.

3. A separate judgment will be entered in accordance with this Memorandum and Order.

Dated May 28, 2013.

BY THE COURT

A handwritten signature in cursive script, reading "Warren K. Urbom", is written over a horizontal line.

Warren K. Urbom
United States Senior District Judge

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